

## AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listing of claims in the application.

*Listing of Claims*

Claim 1 (Canceled)

Claim 2 (Currently amended) The method according to claim 15, wherein said administering step includes administering the hypoxic BMSC preconditioned media products in a method selected from the group consisting essentially of intravenously, intracoronary, and directly to the heart at a specific location of an injury.

Claims 3 - 14 (Canceled)

Claim 15 (Currently amended): A method of improving cardiac function ~~by~~ of a diseased heart, comprising:

administering hypoxic bone marrow stem cell (BMSC) preconditioned media into damaged tissue of the heart,

wherein the hypoxic BMSC preconditioned media being produced at

95%N2/5%CO2 is not populated by bone marrow stem cells incubated under hypoxic conditions to produce the hypoxic BMSC preconditioned media; and

wherein the hypoxic BMSC preconditioned media is therapeutically effective for improving cardiac function by enrichment of the damaged tissue and stimulation of cardiac cell repopulation in the damaged tissue.

Claim 16 (Canceled)

Claim 17: (New) A method of improving cardiac function of a diseased heart, comprising:

preparing a composition consisting of hypoxic bone marrow stem cell (BMSC) preconditioned media; and

administering the composition into damaged tissue in the diseased heart to improve cardiac function by enriching the damaged tissue and stimulating repopulation of cardiac cells in the damaged tissue.

Claim 18 (New) The method of claim 17, wherein the preparing step comprises:

incubating bone marrow stem cells (BMSC) in media under 95% nitrogen and 5% carbon dioxide to produce an incubation product; and removing the BMSC from the incubation product to produce the hypoxic BMSC preconditioned media.

Claim 19: (New) A method of improving cardiac function of a diseased heart, comprising:

incubating a composition comprising bone marrow stem cells (BMSC) in media under hypoxic conditions;  
harvesting the BMSC from the composition to obtain hypoxic bone marrow stem cell (BMSC) preconditioned media; and  
administering the hypoxic BMSC preconditioned media into damaged tissue in the diseased heart to improve cardiac function by enriching the damaged tissue and stimulating repopulation of cardiac cells in the damaged tissue.

Claim 20: (New) The method of claim 19, further comprising, prior to the incubating step:

isolating the BMSC from harvested marrow; and  
growing the isolated BMSC without differentiation in the media.

Claim 21: (New) The method of claim 19, wherein the hypoxic conditions of the incubating step are 95% nitrogen and 5% carbon dioxide.